

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

_____	:	
YouStake, Inc., <i>et al.</i>	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	5:17-cv-00065-MFU
Jay Clayton, in his official capacity as	:	
Chairman of the United States Securities	:	
and Exchange Commission, <i>et al.</i>	:	
	:	
Defendants.	:	
_____	:	

RESPONSE TO THE FIRST SET OF INTERROGATORIES
ISSUED TO THE SECURITIES AND EXCHANGE COMMISSION

Defendants hereby respond to the two interrogatories dated October 26, 2017 and issued by YouStake, Inc. (“YouStake”) to the Securities and Exchange Commission (“SEC”):

Objections to both interrogatories

The SEC objects to the interrogatories because discovery on Defendants is inappropriate, where, as here, the Court will likely grant the SEC’s pending motion to dismiss on grounds of jurisdictional immunity which will dispose of the entire complaint and no discovery is needed for the Court to determine the pending motion. The SEC reserves the right to file a motion for protective order staying discovery should Plaintiffs seek further discovery of Defendants.

Responses to interrogatories

Interrogatory No. 1

State whether you contend the business model of YouStake, as set forth in the Complaint for Declaratory Judgment (the “Complaint,” as found at DE #1), involves the sale and/or exchange of securities.

Response to Interrogatory No. 1

Notwithstanding the above objection, the SEC has not yet determined whether the business model of YouStake involves the sale and/or exchange of securities.

Interrogatory No. 2

If you contend the business model of YouStake, as set forth in the Complaint, involves the sale and/or exchange of regulated securities, identify any regulation(s) you contend to require the registration of such putative securities.

Response to Interrogatory No. 2

No answer is required to this request because the SEC is not now contending that the business model of YouStake involves the sale and/or exchange of securities.

Respectfully submitted

/s/ Kevin D. Solonsky
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November 24, 2017

CERTIFICATE OF SERVICE

I declare under penalty of perjury that I have mailed a copy of the Response to the First Set of Interrogatories Issued to the Securities and Exchange Commission to:

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/s/ Kevin D. Solonsky
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November 24, 2017